



Attorney Docket No. 55525-8054.US00

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Date:

February 18, 2004

By:

Lynnea B. Anderson

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Luo *et al.*

APPLICATION No.: 10/606,400

FILED: June 20, 2003

FOR: METHOD FOR DETECTING FOREIGN DNA IN A HOST GENOME

EXAMINER: Unknown

ART UNIT: 1645

CONF. No: 5236

**Information Disclosure Statement Within Three Months of Application Filing  
or Before First Action – 37 CFR 1.97(b)**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

1. Timing of Submission

This information disclosure is being filed within three months of the filing date of this application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever occurs last [37 CFR 1.97(b)]. The references listed on the enclosed Form PTO-1449 (modified) may be material to the examination of this application; the Examiner is requested to make them of record in the application.

2. Cited Information

☒ Copies of the following references are enclosed:

- ☒ All cited references
- ☐ References marked by asterisks
- ☐ The following:

☐ Copies of the following references can be found in parent U.S. Application No. \*

- ☐ All cited references
- ☐ References marked by asterisks
- ☐ The following:

☐ The following references are not in English. For each such reference, the undersigned has enclosed (i) a translation of the reference; (ii) a copy of a communication from a foreign patent office or International Searching Authority citing the reference, (iii) a copy of a reference which appears to be an English-language counterpart, or (iv) an English-language abstract for the reference prepared by a third party. Applicant has not verified that the translation, English-language counterpart or third-party abstract is an accurate representation of the teachings of the non-English reference, though, and reserves the right to demonstrate otherwise.

- ☐ All cited references

- ☐ References marked by ampersands
- ☐ The following:

3. Effect of Information Disclosure Statement (37 CFR 1.97(h))

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

4. Fee Payment (37 C.F.R. § 1.97(c)) or Certification (37 C.F.R. § 1.97(e))

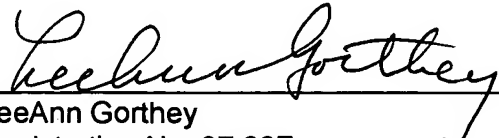
- ☐ Applicant elects to pay the fee under 37 C.F.R. § 1.17(p) \$180.00.
- ☐ Check enclosed for \$
- ☐ Please charge the above fee(s) to Deposit Account No. 50-2207.
- ☐ Applicant submits that no fee is due in light of the following certification under 37 C.F.R. § 1.97(e) (check only one):
  - ☐ In accordance with 37 C.F.R. § 1.97(e)(1), the undersigned hereby states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to this filing of this statement; or
  - ☐ In accordance with 37 C.F.R. § 1.97(e)(2), the undersigned hereby states that no item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c), more than three months prior to the filing of this statement.
  - ☒ Please charge any underpayment for timely filing of this paper to Deposit Account No. 50-2207.

5. Patent Term Adjustment (37 C.F.R. § 1.704(d))

- ☐ The undersigned states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this statement. 37 C.F.R. § 1.704(d).

Respectfully submitted,  
Perkins Coie LLP

Date: 2-18-04

  
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<b>INFORMATION DISCLOSURE CITATION</b> Form PTO-1449 (Modified) (Use several sheets if necessary)				<b>ATTY. DOCKET NO.</b> 55525-8054.US00		<b>SERIAL NO.</b> 10/606,400	
				<b>APPLICANT:</b> Luo et al.			
				<b>Examiner:</b> Unknown		<b>CONF. NO.</b> 5236	
				<b>Filing Date:</b> 06/20/03		<b>GROUP:</b> 1645	
<b>U.S. PATENT DOCUMENTS</b>							
<b>Examiner Initial</b>		<b>Document Number</b>	<b>Date</b>	<b>Name</b>	<b>Class</b>	<b>Subclass</b>	<b>Filing Date If Appropriate</b>
		5,604,097	02/18/97	Brenner			
		5,928,862	07/27/99	Morrison			
		6,150,516	11/21/00	Brenner et al.			
		6,511,802	01/28/03	Albrecht et al.			
		6,265,163	07/24/01	Albrecht et al.			
<b>FOREIGN PATENT DOCUMENTS</b>							
		<b>Document Number</b>	<b>Date</b>	<b>Country</b>	<b>Class</b>	<b>Subclass</b>	<b>Translation</b>
<b>OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
Copy of International Search Report from PCT/US03/19673 filed 06/20/03.							
<b>EXAMINER</b>					<b>DATE CONSIDERED</b>		
<b>EXAMINER:</b> Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							